

**REMARKS/ARGUMENTS**

Claims 1-28 are currently pending in the instant application. Claims 13-28 were withdrawn in response to an earlier restriction requirement. Claims 1, 2, 5, 6, 9, 11 and 12 are amended herein. Claim 10 is cancelled herein.

In the Office action, Claims 5-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,197,897 to Torok (“Torok”), Claim 9 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,336,103 to Herboldsheimer (“Herboldsheimer”), and Claims 1-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Torok. Claims 10-12 were objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The rejections of Claims 1-9 and the objections to Claims 10-12 are discussed in detail below.

**Claim Rejections – Torok**

The Examiner rejected Claims 5-8 as being anticipated by Torok, and Claims 1-4 as being obvious in light of Torok. Applicant respectfully disagrees with the characterization of the disclosure of Torok and its application to Claims 1-8.

**Claims 5-8:**

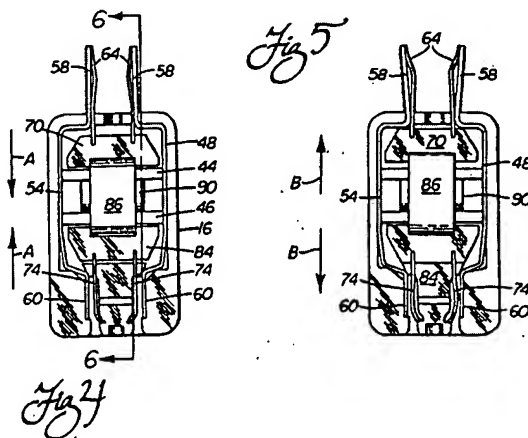
The Examiner rejected Claims 5-8 because Torok purportedly discloses all of the elements recited therein. The text of independent Claim 5, as amended herein, is as follows:

A plug for securing to a socket, the plug comprising:  
a housing;  
a first prong having a proximal end positioned within the housing  
and a distal end extending from the housing; and

a second prong having a proximal end positioned within the housing and a distal end extending from the housing, the distal end of the second prong selectively moveable without deformation of the second prong in a direction away from the distal end of the first prong.

Torok does not disclose all of the elements of Claims 5-8. In particular, Torok does not disclose a distal end of the second prong that is selectively moveable without deformation of the second prong as recited in independent Claim 5, from which Claims 6-8 depend. Instead, the prongs of Torok include a male contact 58 with a spring element 64 that deforms to increase the width defined by each spring element 64 and cooperating male contact 58, thereby locking the prong into place. See Torok, column 6, lines 20-37, column 7, lines 50-55 and FIG. 5. Both the male contact 58 and spring element 64 are inserted into an electrical receptacle such as a wall outlet, and therefore together comprise a prong of Torok. See Torok, column 8, lines 22-25. The prongs of Torok then deform as the distal end of one prong is moved away from the distal end of the other prong. A comparison of Torok FIGS. 4 and 5 with Applicant's FIGS. 4 and 5 clearly shows the difference between the movement of a prong with deformation and the movement of a prong without deformation.

Torok, FIGS. 4 and 5, showing movement including deformation of prongs 58/64:



Applicant's FIGS. 4 and 5, showing movement of prong 28 without deformation:

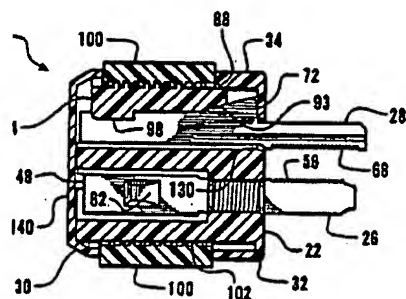


FIG. 4

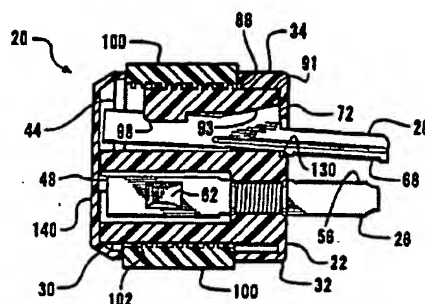


FIG. 5

Torok does not disclose all of the elements of Claims 5-8 because Torok does not teach a distal end of a second prong that selectively moves without deformation, and thus Torok does not anticipate Claims 5-8.

#### Claims 1-4:

Claims 1-4 were rejected because Torok purportedly discloses all of the elements recited therein except for inward movement of the distal end of the second prong, which the Office cited as an obvious difference. The text of independent Claim 1, as amended herein, is as follows:

A plug for securing to a socket, the plug comprising:  
 a housing;  
 a first prong having a proximal end positioned within the housing and a distal end extending from the housing; and  
 a second prong having a proximal end positioned within the housing and a distal end extending from the housing, the distal end of the second prong selectively moveable without deformation of the second prong in a direction toward the distal end of the first prong.

Torok does not disclose all of the elements of Claims 1-4 except inward movement of the distal ends. In addition to failing to teach inward movement of the distal end, Torok does not disclose a distal end of the second prong that is selectively moveable without deformation of the

second prong as recited in independent Claim 1, from which Claims 2-4 depend. As described above with respect to Claims 5-8, the prongs of Torok include a male contact 58 with a spring element 64 that deforms to increase the width defined by each spring element 64 and cooperating male contact 58, thereby locking the prong into place. See Torok, column 6, lines 20-37, column 7, lines 50-55 and FIG. 5. Both the male contact 58 and spring element 64 are inserted into an electrical receptacle such as a wall outlet, and therefore together comprise the prongs of Torok. See Torok, column 8, lines 22-25. The prongs of Torok, then, deform as the distal end of one prong is moved away from the distal end of the other prong. Thus, aside from the failure to disclose inward movement of the distal end, Torok does not disclose the movement of the distal end without deformation of the prong. It would not have been obvious to one of ordinary skill in the art to modify the device of Torok to include both inward movement and movement without deformation.

### **Claim Rejections – Herboldsheimer**

#### **Claim 9:**

Claim 9 was rejected because Herboldsheimer purportedly includes all of the elements recited in Claim 9. Claim 10, however, was found allowable if rewritten in independent form to include the limitations of the base claim, which is Claim 9. Applicant has thus amended Claim 9 to include the limitations of Claim 10, and cancelled Claim 10.

### **Claim Objections**

#### **Claims 10-12:**

Claims 10-12 were found to be directed to allowable subject matter if rewritten in independent form including the limitation of the base claim and any intervening claims. As a

result, the base claim, Claim 9, has been rewritten to include the limitation of Claim 10, and Claims 11 and 12 have been amended to depend from Claim 9, which is now directed to allowable subject matter.

**Conclusion**

In view of the amendments and remarks presented herein, it is respectfully submitted that claims 1-9, 11 and 12 are in condition for allowance and reconsideration of same and notice of allowance of the claims is respectfully requested. Applicant submits that no new matter has been added to the application and requests that the Examiner telephone the undersigned in the event a telephone discussion would be helpful in advancing the prosecution of the present application, particularly before the issuance of a final rejection.

Respectfully submitted,

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